

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-55 are all the claims pending in the application. Claims 1-48 have been withdrawn.

Applicant respectfully submits that the pending claims define patentable subject matter.

Claims 49-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Ratakonda (U.S. Patent No. 5,956,026). Applicant respectfully traverses the rejections.

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131. Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), cited in MPEP § 2131.

Ratakonda teaches a method of hierarchical digital video summarization (determining the most salient (prominent) frames of a given video sequence that may be used as a representative of the video) (column 2, lines 13-35) and browsing, which includes inputting a digital video signal for a digital video sequence (column 3, lines 21-30) and generating a hierarchical summary based on keyframes of the video sequence (column 3, lines 51-62). The hierarchical summarization consists of multiple levels, where levels vary in terms of detail (number of frames) (column 2, lines 28-35). The coarsest, or most compact level provides the most salient frames and contains the least number of frames (column 2, lines 28-35).

Applicant respectfully submits that there is no teaching or suggestion in Ratakonda of a motion intensity level calculation unit calculating motion intensity levels indicating a motion intensity of respective inter frames included in an input video data by using motion compensation information of the respective inter frames; and a histogram calculation unit calculating a histogram indicating frequency of the respective motion intensity levels based on the motion intensity levels of respective inter frames as recited in claim 49. The Examiner continues to read the motion vectors as taught by Ratakonda (column 11, lines 35-61) on the claimed motion intensity. Applicant respectfully disagrees.

Ratakonda teaches the use of motion characteristics for video summarization. Motion, such as pan or zoom are detected by computing motion vectors (column 11, lines 28-35). A pre-screening method is used to detect all possible sequences of frames with dominant motion (i.e., motion caused by pan or zoom) (column 11, lines 36-43). A change of intensity in the edge pixels of a video frame or image is used to detect the dominant motion, and thus detect pan and zoom (column 11, line 26 to column 12, line 50).

Nowhere does Ratakonda disclose calculating motion intensity levels indicating a motion intensity of respective inter frames included in an input video data by using motion compensation information of the respective inter frames, and calculating a histogram indicating frequency of the respective motion intensity levels based on the motion intensity levels of respective inter frames.

The Examiner asserts that “[t]he action measures of the block histograms read on the “motion intensity levels” of the claims since the action measures are used to find insinuations of fine motion (less intensive motion characteristics).” Applicant finds this assertion confusing. It is unclear how block histogram action measures would read on motion intensity levels.

Accordingly, claim 49 should be allowable over Ratakonda, because the cited reference does not teach or suggest all of the features of the claim. Claims 40-55 should also be allowable at least based on their dependency on independent claim 49.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant files concurrently herewith a Petition (with fee) for an Extension of Time of one month, thereby extending the time for response to **November 13, 2006**. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Application No. 10/621,390

Attorney Docket No. Q76541  
Art Unit No. 2613

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

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CUSTOMER NUMBER

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